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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,488	07/27/2006	Kyoko Kawaguchi	P30378	1793
52123 7590 01/25/2010 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER CHEN, SHIN HON	
			ART UNIT 2431	PAPER NUMBER
			NOTIFICATION DATE 01/25/2010	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,488	<b>Applicant(s)</b> KAWAGUCHI, KYOKO	
	<b>Examiner</b> SHIN-HON CHEN	<b>Art Unit</b> 2431	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/27/06</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-18 have been examined.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. Although some of the claims may be understandable, applicant is advised to use commonly used terms to clearly convey the inventive steps and define the proper scope of the claims.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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6. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Hofmeister et al. U.S. Pub. No. 20040078565 (hereinafter Hofmeister).

7. As per claim 1, Hofmeister discloses a secure device comprising: an authentication section that performs authentication processing for a gate equipment (Hofmeister: [0020]); a terminal application installed at a terminal (Hofmeister: [0020]: for installing or executing application on mobile device); and a control section that installs the terminal application designated by the gate equipment on the terminal in the event that authentication between the authentication section and the gate equipment is successful (Hofmeister: [0021]).

8. As per claim 2, Hofmeister discloses the secure device of claim 1. Hofmeister further discloses wherein the secure device holds correspondence information defining a corresponding relationship of the gate equipment and the terminal application, and the control section installs the terminal application at the terminal only in the event that the relationship of the terminal application designated by the gate equipment and the gate equipment matches with the corresponding information (Hofmeister: [0022]-[0024]).

9. As per claim 3, Hofmeister discloses the secure device of claim 1. Hofmeister further discloses wherein the control section provides the terminal application installed at or deleted from the terminal according to the communication scheme with the gate equipment (Hofmeister: [0025]-[0027]).

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10. As per claim 4, Hofmeister discloses the secure device of claim 1. Hofmeister further discloses a terminal setting management section that determines whether or not a setting to valid for the previous time with the terminal has been correctly invalidated while the authentication section is carrying out authentication with the gate equipment, and permitting authentication with the gate equipment only in the event of correct invalidation (Hofmeister: [0025]-[0027]).

11. As per claims 5-18, claims 5-18 encompass same or similar scope as claims 1-4. Therefore, claims 5-18 are rejected based on the same rationale as provided above in rejecting claims 1-4.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matsumoto et al. U.S. Pub. No. 20020066042 discloses card settlement method and system using mobile information terminal.

McClain U.S. Pub. No. 20040097217 discloses method for providing authentication and authorization utilizing a personal wireless communication device.

Chen et al. U.S. Pat. No. 6496979 discloses method for managing application installation for a mobile device.

DeTreville U.S. Pub. No. 20040015694 discloses method for authenticating an open system application to a portable IC device.

Merrill et al. U.S. Pub. No. 20040002943 discloses method for application delivery and configuration management of mobile devices.

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Huang U.S. Pub. No. 20030181219 discloses method of indicating unauthorized use of a mobile terminal.

Osthoff et al. U.S. Pat. No. 7558953 discloses loading data into a mobile terminal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIN-HON CHEN whose telephone number is (571)272-3789.

The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen  
Primary Examiner  
Art Unit 2431

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Primary Examiner, Art Unit 2431